

**Halifax Board of Health**  
**Meeting Minutes**  
**Wednesday, December 02, 2015**

On Wednesday, a meeting of the Halifax Board of Health was held at the Halifax Town hall.

**Present at the meeting were:**

John DeLano – Chairman  
John Weber – Co-Chairman  
Alan J. Dias - Clerk  
Cathleen Drinan – Health Agent  
Peggy Selter, Administrative Assistant

The Board of Health meeting opened at 6:30 p.m.

**The Old Franklin & Hayward Street (Map 113, Lot 2) hearing opened at 6:30pm**

**1. Disposal Works Permits: Donald Brown, owner & Gary Rice, Land Planning in attendance.**

**a. Hearing - 6:30 pm – Old Franklin & Hayward Street (Map 113, Lot 2) Requesting Variances from “Soils of Special Concern” (See request for variance of local regulations letter dated 10/21/15 by Land Planning)**

**i.** At the 11/07/15 the Board suggested that 1 acre wasn't enough land to meet the soils of special concern regulations for new construction on a new lot. – Gary Rice updated Board on plan, perc & variances.

**ii. Requested Variances: Old Franklin & Hayward Street (Map 113, Lot 2)**

**1. *1.06 (10) (c)* setback requirements**

- a.** Property line setback to SAS – 50': {20' provided} [Title V requirement 10']
- b.** Other open, surface of subsurface drains setback to SAS – 50': {26' provided} [Title V requirement – 10']
- c.** SAS setback to existing downhill slope – 30' {minimum 23' provided to reserve area and 29' to SAS from downhill slope of open surface drain } [Title V requirement – 15']

**2. *1.06 (10) (d)* setbacks on mounded septic system will be measured from the toe of the slope: {impervious barrier used to inhibit horizontal movement of effluent} [Title V setback requirements - measured from limit of SAS]**

**3. *1.06 (10) (e)* A 50 foot buffer strip of naturally occurring vegetation between edge of system and property line: Existing parcel is deforested and only contains field grass.**

- a.** The Board asked if other Perc tests were performed to eliminate the possibility of moving the house, and were the perc under 60 min/inch, the Board also asked what the intent was for the additional land.

- i. Mr. Rice & Mr. Brown both answered that the soil were not suitable for the area in the back lot.
- b. The Board stated that the “Soils of Special Concern” regulations intent was for lots existing before this Board approved the regulation and suggested a reduction in the number of variances present tonight.
  - i. The Board suggested Perc tests be done to show that soils are not usable in other locations other than where the septic system is being presented on the plan.
  - ii. The Board suggested the plan extend the 40sf lot size to the minimum lot size of 80,000 square feet as listed in the “Supplementary Rules and Regulations to the State Environmental Code: Title V, 310 CMR 15.00” “Soils of Special Concern” (10) (a)
- c. The Board reiterated again, that the “Soils of Special Concern” regulations intent was for lots existing before this Board approved the regulation.

A Motion was made to continue the hearing on Old Franklin & Hayward Street (Map 113, Lot 2) to allow time for revisions to be made. The revisions will be presented at the hearing which will be held at next Board of Health regular scheduled meeting on December 16, 2015 at 6:30pm.

**Motion:** John Weber

**Second:** Alan Dias

**Unanimous vote on the motion**

**The Old Franklin & Hayward Street (Map 113, Lot 2) hearing closed at 7:00pm**

**Proposed Tobacco Regulations Discussion/Vote Opened at 7:00pm**

- b. 7:00pm - Tobacco Regulations Discussion/Vote
  - i. Letter of Support – Board read letters of support
    - 1. American Heart Association
    - 2. American Stroke Association
      - a. The Chairman of the Board asked if there were any comments from the Board before a motion was entertained.
        - i. Members of the Board would like continue their thought, review and research on the following items and entrain a motion at a later date after further discussion.
          - 1. Restricting the Sale of Tobacco Products
            - a. 30’ from a municipal entrance
            - b. Regulation of types of product being sold in retail stores
            - c. Cigars/tobacco products – prohibiting flavors
            - d. Blunt wraps

- e. [Sale & Distribution](#)
- f. [Amount of Permits](#)
- g. [Anonymous Complaints](#)
- 2. [Prohibiting Smoking in Workplaces and Public Places](#)
  - a. [Municipal employee's smoking in vehicles \(Exemptions?\)](#)

A Motion was made to continue the discussion/vote on Proposed Tobacco Regulations Discussion/Vote to allow time for more thought, review and research. The next discussion/vote will be at the next Board of Health regular scheduled meeting on December 16, 2015 at 7:00pm.

**Motion: John Weber**  
**Second: Alan Dias**  
**Unanimous vote on the motion**

**Proposed Tobacco Regulations Discussion/Vote closed at 7:30pm**

- c. [67 Plymouth Street](#) - Marcia Orcutt – Follow-Up on Mold Issue Complaint.

A Motion was made that this was a tenant-landlord issue. This is a civil matter between the tenant and the owner and there is no action for the Board of Health to take.

**Motion: John Weber**  
**Second: Alan Dias**  
**Unanimous vote on the motion**

- d. **Ratify Agents Approval:**

- i. [7 Sherwood Drive](#)

A Motion was made to ratify agent's approval

**Motion: John Weber**  
**Second: Alan Dias**  
**Unanimous vote on the motion**

- ii. [13 Doris Road](#)

A Motion was made to ratify agent's approval

**Motion: John Weber**  
**Second: Alan Dias**  
**Unanimous vote on the motion**

- 2. **Bring to Boards Attention:**

- a. Letter from Resident regarding tobacco regulations - [Board Read](#)
- b. 2016 Calendar's with Meeting dates in yellow and pond sample collection for E.coli dates in blue – [Admin distributed calendar's with dates of 2016 meetings](#)
- c. Food Establishment Plan Reviews – [Board took plan review to read for discussion at future meeting.](#)

### **3. Discussion Items:**

- a. Proposed Wage & Personnel By-Law Changes to Establish the position of Assistant Health Agent
  - i. Agent updated Board on the proposed Wage & Personnel By-Law Changes to Establish the position of Assistant Health Agent
- b. Agent Report:
  - i. 9 & 13 Lake Street – Shared system.
    - 1. Needs to relocate gas line. Can owner reduce to a three (3) bedroom plan?
      - a. The Board concluded that an engineer needs to make the determination as to relocation of gas line. Plan to remain as is.
  - ii. New Installer's Exams
    - 1. Agent updated Board
  - iii. Plumbing problem Stop & Shop
    - 1. Agent sent letter to Stop & Shop
  - iv. Highly Pathogenic Avian Influenza
    - 1. Agent updated Board

### **4. The Following to be signed:**

- a. Ethics/Conflict of Interest Laws - Board Signed
- b. Expense Account# 01-512 – FY 16-09 - Board Signed
  - i. Cathleen Drinan – 07.01.15 to 07.30.15 Mileage Reimbursement – \$121.90
  - ii. Cathleen Drinan – 08.03.15 to 09.29.15 Mileage Reimbursement – \$115.01
  - iii. Cathleen Drinan – 10.01.15 to 12.01.15 Mileage Reimbursement – \$199.93
  - iv. Cathleen Drinan – Postage Reimbursement – \$1.35
  - v. Kathleen DeVasto-Piemonte – Invoice# 112315 -02 – Kitchen Inspections
    - 1. Lyonville Tavern – November 19, 2015 - \$50.00
    - 2. Santoro's – November 19, 2015 - \$50.00
  - vi. Hobbs & Warren – Invoice# 64692 – Duplicate Copy Kitchen Inspection Reports - \$244.00
- c. Expense Account# 01-512 – FY 16-10 - Board Signed
  - i. John DeLano – 10.21.15 to 11.07.15 Mileage Reimbursement – \$38.30
- d. Expense Account# 01-512 – FY 16-11 - Board Signed
  - i. Alan Dias – 08.25.15 to 11.07.15 Mileage Reimbursement – \$24.61
- e. Revolving Account# 25-513 – FY 16-07 - Board Signed
  - i. Grady Consulting – Invoice# - Plan Review – 7 Sherwood Drive - \$85.00
  - ii. Grady Consulting – Invoice# - Plan Review – 13 Doris Road - \$85.00
- f. Landfill Engineering Account# 01-519 – FY 16-02 - Board Signed
  - i. Tighe & Bond – Invoice# 11159008

1. Landfill Gas Monitoring - \$825.00
2. Groundwater Monitoring - \$4,700.00

**g. Permits: - Board Approved**

- i. Country Club Function Room – 2016 Food Establishment Permit
- ii. Country Club Clubhouse – 2016 Food Establishment Permit
- iii. Lindy’s General Store – 2016 Food Establishment Permit & Tobacco Permit
- iv. Bella’s Pizzeria II – 2016 Food Establishment Permit
- v. Santoro’s – 2016 Food Establishment Permit
- vi. Noonan Waste Services – 2016 Rubbish Hauler’s Permit
- vii. P&J Rubbish Removal – 2016 Rubbish Hauler’s Permit
- viii. United Site Services Northeast, Inc. – 2016 Septage Hauler’s Permit
- ix. Claude DuBord & Son, Inc. – 2016 Septic Installer’s Permit

**h. Mail Folder: - Board Read**

- i. Cancer Incidence in Massachusetts 2007-2011, City and Town Supplement
- ii. **Zoning Board of Appeals**
  1. Notice of Hearing
- iii. Special Permit, 546A Plymouth Street

**Adjournment**

A Motion was made to adjourn the meeting at 8:30 p.m.

**Motion: John Weber**

**Second: Alan Dias**

**Unanimous vote on the motion**

**Typed by,**

Peggy Selter

Administrative Assistant

**Signed By:**

John DeLano – Chairman

John Weber – Co-Chairman

Alan Dias – Clerk

~You can receive an official signed copy of meeting minutes at the Board of Health Office~